

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,) **CR 10-190Jne/SRN**
)
Plaintiff,) I N D I C T M E N T
)
) (18 U.S.C. § 2)
v.) (18 U.S.C. § 1028(a)(7))
) (18 U.S.C. § 1028(b)(1)(D))
(1) SHERITA SCOTT-KELLEY,) (18 U.S.C. § 1028A)
(2) MONICA WILLIAMS, and) (18 U.S.C. § 1029(a)(2))
(3) RONALD BILA SHAKA,) (18 U.S.C. § 1029(c)(1)(A)(i))
) (18 U.S.C. § 1344)
Defendants.)

THE UNITED STATES GRAND JURY CHARGES THAT:

INTRODUCTION

At all times relevant to this Indictment,

1. Defendant, **SHERITA SCOTT-KELLEY ("KELLEY")**, was a resident of the District of Minnesota who was employed as a personal care assistant and home health aide;

2. Defendant, **MONICA WILLIAMS ("WILLIAMS")**, was a resident of the District of Minnesota who was employed as a personal care assistant and home health aide;

3. Defendant, **RONALD BILA SHAKA ("SHAKA")**, was a resident of the District of Minnesota;

4. American Express was a financial institution doing business in the State of Minnesota;

5. Associated Bank was a financial institution doing business in the State of Minnesota that held deposits insured by the Federal Deposit Insurance Corporation;

6. Chase Bank was a financial institution doing business in

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the State of Minnesota that held deposits insured by the Federal Deposit Insurance Corporation;

7. JC Penney Company was a corporation doing business in the State of Minnesota and elsewhere;

8. Office Depot was a corporation doing business in the State of Minnesota and elsewhere;

9. Merrill Lynch was a financial investment company doing business in the State of Minnesota and elsewhere;

10. Ridgedale State Bank was a financial institution doing business in the State of Minnesota.

11. Smith Barney was a financial investment company doing business in the State of Minnesota and elsewhere;

12. US Bank was a financial institution doing business in the State of Minnesota that held deposits insured by the Federal Deposit Insurance Corporation;

13. US Federal Credit Union was a financial institution doing business in the State of Minnesota that held deposits insured by the National Credit Union Association;

14. Wells Fargo Bank was a financial institution doing business in the State of Minnesota that held deposits insured by the Federal Deposit Insurance Corporation.

COUNT 1
(18 U.S.C. § 371: Conspiracy)

15. The grand jury incorporates by reference paragraphs 1 through 14 as if fully stated herein.

16. From on or about April 1, 2006 to on or about November 30, 2008, in the State and District of Minnesota, the defendants,

**SHERITA SCOTT-KELLEY
MONICA WILLIAMS, and
RONALD BILA SHAKA,**

and others known and unknown to the grand jury, did knowingly combine, conspire, confederate, and agree to commit the following offenses against the United States, that is:

- a. to execute and attempt to execute a scheme and artifice to defraud and to fraudulently obtain money and funds from financial institutions, in violation of Title 18, United States Code, Section 1344 (Bank Fraud); and
- b. to transfer, possess, and use, in or affecting interstate commerce, without lawful authority, a means of identification of another person with intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of Federal law or that constitutes a felony under any applicable State or local law, in violation of Title 18, United States Code, Section 1028(a)(7) (Identity Theft); and
- c. to use one or more unauthorized access devices, with the intent to defraud, namely credit cards, during a one year period, and by such conduct, obtain a thing of value aggregating \$1,000 or more during that period, in violation of Title 18, United States Code, Section 1029(a)(2) (Access Device Fraud).

Purpose of the Conspiracy

17. The purpose of the conspiracy was to fraudulently obtain money from the accounts of vulnerable victims held at financial institutions in the Minnesota area.

Manner and Means of the Conspiracy

18. It was part of the conspiracy that one or more of the

defendants, and persons known and unknown to the grand jury, steal the personal identification and financial information of vulnerable victims which could be used to fraudulently obtain checks and credit cards.

19. It was further part of the conspiracy that one or more of the defendants, and persons known and unknown to the grand jury, used these checks and credit cards to unlawfully and without authority withdraw cash from the vulnerable victim's accounts at financial institutions in the Minnesota area.

20. It was further part of the conspiracy that one or more of the defendants, and persons known and unknown to the grand jury, used the credit cards to purchase items of value from various merchants in the Minnesota area.

Overt Acts

21. In furtherance of the conspiracy alleged above and to effect the purpose thereof, the following overt acts, among others, were committed and caused to be committed by defendants in the District of Minnesota and elsewhere.

22. On or about May 9, 2006, defendants, Ronald Bila Shaka, aided and abetted by Sherita Scott-Kelley, unlawfully withdrew \$500 from Ridgedale State Bank Account No. XX4113, belonging to vulnerable victim K.H.P.

23. On or about May 10, 2006, defendants, Ronald Bila Shaka, aided and abetted by Sherita Scott-Kelley, unlawfully withdrew \$500

from Ridgedale State Bank Account No. XX4113, belonging to vulnerable victim K.H.P.

24. On or about May 10, 2006, defendants, Ronald Bila Shaka, aided and abetted by Sherita Scott-Kelley, unlawfully withdrew \$500 from Ridgedale State Bank Account No. XX4113, belonging to vulnerable victim K.H.P.

25. On or about May 12, 2006, defendant, Ronald Bila Shaka, aided and abetted by Sherita Scott-Kelley, unlawfully withdrew \$500 from Ridgedale State Bank Account No. XX4113, belonging to vulnerable victim K.H.P.

26. On or about June 7, 2008, defendant Sherita Scott-Kelley, unlawfully deposited Franklin State Bank Check No. 6506, belonging to victim S.W., into US Bank Account No. XXXXXXXX0273, belonging to vulnerable victim R.S.

27. On or about June 7, 2008, defendant Sherita Scott-Kelley, aided and abetted by Monica Williams, attempted to unlawfully withdraw \$5030 from US Bank Account No. XXXXXXXX0273, belonging to vulnerable victim R.S.

28. On or about June 8, 2008, defendant Monica Williams aided and abetted in the attempted withdrawal of \$3500 from Franklin Bank Account No. XX6658, belonging to victim S.W.

29. On or about July 5, 2008, defendant Sherita Scott-Kelley, unlawfully attempted to deposit Check No. 5142, in the amount of \$53,000, belonging to the U.S. Federal Credit Union Account of

vulnerable victim P.T., into a fraudulently opened Merrill Lynch account in the name of victim M.K.

30. On or about August 5, 2008, defendant Sherita Scott-Kelley, unlawfully attempted to deposit Check No. 5141, in the amount of \$62,000, belonging to the Frank State Bank Account of vulnerable victim P.T., into a fraudulently opened Merrill Lynch account in the name of victim M.K.

31. On or about September 9, 2008, defendant Sherita Scott-Kelley, aided and abetted by defendant Monica Williams, unlawfully applied for and received American Express Credit Cards XXXXXXXXXXXX1003 and XXXXXXXXXXXX1011 in the name of vulnerable victim D.O.

32. On or about September 22, 2008, defendant Sherita Scott-Kelley, aided and abetted by defendant Monica Williams, unlawfully applied for and received American Express Credit Card XXXXXXXXXXXX1002 in the name of vulnerable victim D.O.

33. Based on the preceding overt acts, and others, the defendants Sherita Scott-Kelley, Monica Williams, and Ronald Bila Shaka, and others known and unknown to the grand jury, attempted to obtain approximately \$250,000 from the bank accounts of vulnerable victims.

All in violation of Title 18, United States Codes, Section 371.

COUNTS 2-7
(18 U.S.C. § 1344: Bank Fraud)

34. The grand jury incorporates by reference paragraphs 1 through 33 as if fully stated herein.

35. On or about the dates set forth below, the State and District of Minnesota, the defendants,

SHERITA SCOTT-KELLEY,
MONICA WILLIAMS, and
RONALD BILA SHAKA,

and persons known and unknown to the grand jury, each aiding and abetting the other, did knowingly and intentionally execute, and attempt to execute, a scheme and artifice to defraud federally insured financial institutions and to obtain, by means of false and fraudulent pretenses and representations, money and funds owned by and under the custody and control of financial institutions, as set forth in each count below:

COUNT	DATE	DEFENDANT	FINANCIAL INSTITUTION	DESCRIPTION OF FRAUD
2	5/10/06	Ronald Bila Shaka Sherita Scott-Kelley	Ridgedale State Bank	Unlawful withdrawal of \$500 from K.H.P.'s Ridgedale State Bank Account No. XX4113
3	6/7/08	Sherita Scott-Kelley Monica Williams	Franklin Bank	Unlawful deposit of S.W.'s Franklin Bank Check No. 6506 for \$5266.33 on Account No. XX6658 into R.S.'s US Bank Account No. XXXXXXXX0273
4	6/7/08	Sherita Scott-Kelley Monica Williams	US Bank	Unlawful attempt to withdraw \$5030 from R.S.'s US Bank Account No. XXXXXXXX0273
5	6/8/08	Monica Williams	Franklin Bank	Unlawful attempt to withdraw \$3500 from S.W.'s Franklin Bank Account No. XX6658 using Check No. 6507

6	7/5/08	Sherita Scott-Kelley Monica Williams	US Federal Credit Union	Unlawful attempt to deposit fraudulent Check No. 5142 for \$53,000, drawn on P.T.'s U.S. Federal C.U. Account No. XXXXXXX2021 into fraudulently opened account at Merrill Lynch
7	8/5/08	Sherita Scott-Kelley Monica Williams	US Federal Credit Union	Unlawful attempt to deposit fraudulent Check No. 5147 for \$62,000, drawn on P.T.'s U.S. Federal C.U. Account No. XXXXXXX2021 into fraudulently opened account at Merrill Lynch

All in violation of Title 18, United States Code, Sections
1344 and 2.

COUNTS 8-9

(18 U.S.C. § 1029: Access Device Fraud)

36. On or about the dates set forth below, in the State and
District of Minnesota, the defendants,

**SHERITA SCOTT-KELLEY and
MONICA WILLIAMS,**

aided and abetted by others known and unknown to the grand jury,
did knowingly and with intent to defraud, use one or more
unauthorized access devices, namely credit cards, during a one-year
period, and by such conduct, obtain a thing of value aggregating
\$1,000 or more during that period, to wit:

COUNT	DATE	FINANCIAL INSTITUTION	AMOUNT	DESCRIPTION
8	11/3/08 - 11/4/08	American Express	\$4541.55	Used fraudulently obtained American Express Card No.s XXXXXXXXXXXX1003 and XXXXXXXXXXXX1011 in name of D.O. to purchase \$4541.55 in goods and services
9	9/25/08 - 10/1/08	American Express	\$2455.85	Used fraudulently obtained American Express Card No. XXXXXXXXXXXX1002 in name of D.O. to purchase \$2455.85 in goods and services

All in violation of Title 18, United States Code, Sections 1029(a)(2), 1029(c)(1)(A)(i), and 2.

COUNT 10

(18 U.S.C. § 1028(a)(7): Identity Theft)

37. From on or about April 1, 2006 to on or about November 30, 2008, in the State and District of Minnesota, the defendants,

**SHERITA SCOTT-KELLEY,
MONICA WILLIAMS, and
RONALD BILA SHAKA,**

aided and abetted by persons known and unknown to the grand jury, did knowingly transfer, possess, and use, in and affecting interstate commerce, without lawful authority, a means of identification of another person, to wit: the bank account routing number, the bank account number, the date of birth, and the address of various known victims, with the intent to commit, and in connection with, unlawful activity that constitutes a violation of federal law, to wit: Bank Fraud in violation of 18 U.S.C. § 1344, and Access Device Fraud in violation of 18 U.S.C. § 1029, and as a result of these offenses, the defendants and other individuals committing the offense, obtained a thing of value aggregating \$1,000 or more during a one-year period; all in violation of Title 18, United States Code, Sections 1028(a)(7); 1028(b)(1)(D); and 2.

COUNTS 11-14

(18 U.S.C. 1028A: Aggravated Identity Theft)

38. On or about the dates set forth below, in the State and District of Minnesota, the defendants,

**SHERITA SCOTT-KELLEY,
MONICA WILLIAMS, and
RONALD BILA SHAKA,**

aided and abetted by others known and unknown to the grand jury, did knowingly possess and use, without lawful authority, a means of identification of another person, to wit: name, date of birth, bank routing number, and bank account number, belonging to victims, as alleged in each count below, during and in relation to the commission of a felony violation enumerated in subsection (c), to wit, Bank Fraud and Access Device Fraud:

COUNT	Dates	Defendant	Description
11	May 10, 2006	Ronald Bila Shaka	Unlawful use of name and bank account number of K.H.P. used to withdraw \$500 during commission of Bank Fraud as alleged in Count 2
12	June 7, 2008	Sherita Scott-Kelley Monica Williams	Unlawful use of name, bank routing number, and bank account number of S.W. used to unlawfully deposit a \$5266.33 check during commission of Bank Fraud as alleged in Count 3
13	September 9, 2008	Sherita Scott-Kelley Monica Williams	Unlawful use name, date of birth, and social security number of D.O. to obtain unauthorized American Express Credit Card No. XXXXXXXXXXXX1003 during commission of Access Device Fraud as alleged in Count 8
14	September 9, 2008	Sherita Scott-Kelley Monica Williams	Unlawful use of name, date of birth, and social security number of D.O. to obtained unauthorized American Express Credit Card No. XXXXXXXXXXXX1011 during commission of Access Device Fraud as alleged in Count 9

All in violation of title 18, United States Code, Sections 1028A, and 2.

A TRUE BILL:

UNITED STATES ATTORNEY

FOREPERSON